

### **REMARKS**

This paper is filed in response to the November 4, 2005 Office Action. As this paper is filed on April 19, 2006, and with an extension of time to May 4, 2006, this response is timely filed.

#### **I. Status of Amendments**

Prior to this amendment, claims 54, 56-59, 61-66, 68-71 and 78-83 were pending. By way of this amendment, claims 54 and 66 are amended. Therefore, claims 54, 56-59, 61-66, 68-71 and 78-83 are still at issue.

#### **II. The November 4, 2005 Office Action**

##### **A. Claim Objection**

The Office Action objected to claim 54 as requiring the indefinite article “a” to be inserted before the words “gaming network.” Claim 54 has been so amended. The applicant requests that the objection be withdrawn.

##### **B. Section 112 Rejections**

The Office Action rejected independent claim 54 and its dependent claims 56-59 and 61-65 as well as independent claim 66, and its dependent claims, 68-71 and 78-83 under 35 USC § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicant has amended claims 54 and 66 to recite that the vote is received from at least one of the players forming the team. The applicant requests that the rejection under 35 USC § 112 be withdrawn. Should this not address the examiner’s concern, the examiner is invited to call the applicant’s agent at the telephone number listed at the end of this paper.

##### **C. Section 103(a) Rejections**

The Office Action rejected claims 54, 56-59, 61-65, 68-71 and 78-83 as being unpatentable under 35 USC § 103(a) over Vancura (United States Patent No. 6,769,986) in

view of Walker (United States Patent No. 6,394,899) in further view of LaMura (United States Patent No. 6,676,521), or Olsen (United States Patent No. 6,217,448), or LaMura and Walker (United States Patent No. 6,193,606). The applicants respectfully request reconsideration.

Attached is a declaration under 37 CFR § 131 that the invention was conceived and diligently reduced to practice from a date prior to September 21, 2001, the effective date of the Vancura reference, to the filing date of December 21, 2001.

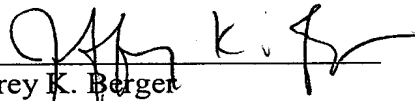
Because the Vancura reference is the primary reference of the 35 USC § 103(a) rejection of all claims, a *prima facie* case of obviousness no longer exists against any of the pending claims. The applicants request the rejection of independent claim 54 and its dependent claims 56-59 and 61-65 and independent claim 66 and its dependent claims 68-71 and 78-83 be withdrawn.

In view of the above amendment, the applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response beyond the extension of time and RCE fees. However, if an additional fee is due, please charge our Deposit Account No. 13-2855, under Order No. 29757/AG71 from which the undersigned is authorized to draw.

Dated: April 19, 2006

Respectfully submitted,

By   
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